REMARKS

This application has been carefully considered in connection with the Office Action dated June 24, 2010. Reconsideration and allowance are respectfully requested in view of the following.

Summary of Rejections

Claims 1, 3-17, and 38-40 were pending at the time of the Office Action.

Claims 1, 3-17, and 38-40 were rejected under 35 U.S.C. § 103.

With regard to the art rejections, the Office Action has cited Knudson, et al., U.S. Patent No. 5,765,140 ("Knudson"); Swanke, et al., U.S. Patent No. 7,212,987 ("Swanke"); Schloss, et al., U.S. Patent No. 5,692,125 ("Schloss"); Turnbull, U.S. Patent No. 5,208,765 ("Turnbull") and Bowman-Amuah, U.S. Patent No. 6,405,364 ("Bowman-Amuah").

Summary of Claims

Claims 1, 3-17, and 38-40 are currently pending following this response.

Claims 1, 3-9, 11, 13, 14, 16, and 38-40 were previously presented.

Claims 10, 12, 15, and 17 remain as originally submitted.

Claims 2 and 18-37 were previously canceled.

Remarks and Arguments are provided below.

Summary of Response

Knudson, Swanke, Schloss, and Turnbull do not provide an enterprise application integration process that facilitates the integration of workflow management processes throughout an enterprise, or a software portal through which data related to a software development project

can be gathered, displayed, managed, and disseminated. More particularly, Knudson, Swanke, Schloss, and Turnbull do not disclose, teach, or suggest use of a software portal that facilitates project development within an enterprise, whereby the portal includes provisions for directly notifying end users about project events as they occur, using email, or other messaging technologies. For example, Knudson, Swanke, Schloss, and Turnbull do not teach or suggest use of a software portal that can determine an end of a phase of the project development process, and upon completion of that phase, automatically send a message to the personnel responsible for completing the next *phase* in the process and inform the personnel that the next *phase* can begin. Furthermore, neither Knudson, Swanke, Schloss, nor Turnbull teach or suggest use of a software portal that can *automatically* determine the start **and** end dates for the next **phase** in a project development process **and** automatically update a process schedule with the start and end dates for the next phase. Such features enable the portal to monitor the progress and also drive the activities of the project development process involved.

Schloss discloses that two events are linked in a precedence/subsequence link. See, Schloss, col. 8, lines 27-28. However, although Schloss may disclose rescheduling a linked event based on changes to a precedence event to which the event is linked, this is not disclosure of automatically determining the start **and** end date for the next **phase** in the project development process.

Swanke may disclose notifying resources that are performing tasks of additional tasks they are to perform. See, Swanke, col. 2, lines 1-38. However, a resource is not an individual with responsibility for a next phase of a project. Furthermore, a task is not a phase. Additionally, although Turnbull may disclose phases, modifying Swanke to notify an individual with responsibility for a next phase of a project is not a simple substitution of the teachings of Turnbull

for the teachings of Swanke. The examples of MPEP 2143(B) indicate that substitution of one known element for another known element is not the mere substitution of one word for another. Furthermore, because a phase is not the mere aggregation of tasks, combining Turnbull with Swanke would require modification of Swanke using the pending application as a template for the modification.

These distinctions, as well as others, will be discussed in greater detail in the analyses of the pending claims that follow.

Detailed Response

Rejection of Claim 1 Under 35 U.S.C. § 103(a)

Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson in view of Swanke and Schloss, further in view of Turnbull.

I. Knudson in view of Swanke, Schloss, and Turnbull do not teach or suggest automatically determining a start date and an end date for the next phase in the project development process, and automatically updating a schedule of the project development process with the start date and the end date for the next phase.

Claim 1 recites, in part, "automatically determining a start date and an end date for the next phase in the project development process" and "automatically updating a schedule of the project development process with the start date and the end date for the next phase." The Office Action asserts that the cited art teaches this feature. Applicants respectfully disagree.

The Office Action admits that neither Knudson or Swanke disclose automatically determining a start date and an end date for the next phase in the project development process, and does not disclose automatically updating a schedule of the project development process with the

start date and end date for the next phase (see, Office Action, p. 2), but asserts that Schloss does relying on column 8, lines 27-46 of Schloss. See, Office Action, pp. 5-6. Schloss discloses that two events are linked in a precedence/subsequence link. See, Schloss, col. 8, lines 27-28. Schloss further discloses propagating changes from one event to linked events. See, Schloss, col. 8, lines 35-46. Schloss discloses that propagating changes to the linked event include rescheduling the linked event or canceling the linked event. See, Schloss, col. 8, lines 37-43.

Schloss further discloses that the scheduled time of a subsequent linked event is determined based on the scheduled start date of a preceding linked event and an interval condition that specifies the time interval to wait after the preceding linked event starts before scheduling the start date of the subsequent linked event. See, e.g., Schloss, col. 11, lines 9-49. Schloss also discloses an adjustment rule that allows a subsequent linked event to be scheduled slightly before or slightly after that specified by the interval condition of the interval condition specifies a date that is an illegal day. See, Schloss, col. 11, lines 49-64. Thus, it appears that Schloss teaches that if an event must be rescheduled, subsequent linked events are rescheduled according to the interval condition with rules to ensure that illegal dates are not specified as the start date of a subsequent linked event.

However, a phase is not a single event. See, e.g., Application, ¶¶ [0016]-[0021]. Furthermore, the relationships between one phase and a next phase in a project development process are not linear. As part of completion of a phase, various individuals may be required to perform various roles for varying amounts of time. See, e.g., Application, ¶ [0035]. Users can have different roles for different projects. See, e.g., Application, ¶ [0045]. If a preceding phase of a project contains processes that must be rescheduled that effect the start date of a next phase in the project development process, it is not sufficient to merely adjust the start and end date of the next phase of the project development process by a specified interval. For example, since an employee

may have roles on other projects thereby causing scheduling conflicts, an employee required to perform a certain role following the completion of a previous process in that phase of the project development process may not be available to perform their role at the time the delayed process is completed. Thus, although the previous process may be delayed by only a week, the start date of the next phase of the project development process may be delayed by several weeks or months since the employee that is required to perform a specified role upon the completion of the prior process may not be available for several weeks or months.

Moreover, the same problem effects the end date of the next phase of the project development process. If the start date of the next phase of the project development process is delayed by a month, the end date of the next phase of the project development process may be delayed by several months because an employee who was available to perform a certain role at the previously scheduled time is not available at the time the role is needed for the rescheduled, but is only available at some later date. Thus, the end date of the next phase of the project development process is not necessarily adjusted by the same amount as the start date of the next phase of the project development process. Thus, the consideration of whether a single event has been postponed or rescheduled is insufficient to determine the start date of a next phase of a project development process. Although the above examples are illustrated using human resources, the same problem exists for physical resources, such as IT infrastructure, or other project resources (e.g., budget, timing, etc.).

Further, such analysis for the determination of the start and end date of the next phase and the updating of the schedule of the project may be enhanced through the claimed gathering project related information from various specific information sources across the enterprise. For example, the above described phase scheduling may make use of information from a project management

information system so as to identify which resources are scheduled to be used during the next phase and the projected level of effort required by each of those resources to accomplish their tasks. This information may then be used in combination with a human resources data system to ensure that scheduled resources will still be available for the next phase (e.g., not on vacation, scheduled to retire, or otherwise unavailable). Another source of information that may be used in conjunction with the above data may be a financial time reporting system that may provide information on whether or not scheduled resources will have sufficient available bandwidth to commit to the required level of effort to complete their tasks for the next phase. A still further source of information that may be consulted and used in conjunction with the above is a billing system that may be used to identify various budgetary constraints for the next phase of the project such as whether or not the overtime that you may need to pay to certain resources will be within the budget for the project. By gathering project related information from the plurality of the claimed sources, or **all** of the specifically claimed resources as recited in dependent claim 3, the non-linear and complicated process of automatically determining the start and end date of the next phase and updating the schedule of the project are enhanced.

Therefore, disclosure of determining the start date of a linked event based on a preceding linked event being rescheduled is not disclosure of automatically determining the start and end date of a next phase in a project development process.

Turnbull was not relied upon by the Office Action with reference to the feature of "automatically determining a start date and an end date for the next phase in the project development process, and automatically updating a schedule of the project development process with the start date and end date for the next phase." Turnbull does not appear to teach or suggest automatically determining start and end dates of phases of a project development, and

automatically updating a schedule of the project development process with the start date and end date for the next phase. Furthermore, although Turnbull may disclose phases, it is not obvious to modify the event of Schloss with a phase of Turnbull since determining the start and end dates of phases is a much more complex process than determining whether to reschedule a single event. Consequently, Schloss and Turnbull do not cure the deficiencies of Knudson in view of Swanke.

II. Knudson in view of Swanke, Schloss, and Turnbull do not teach or suggest notifying at least one individual with responsibility for a next phase of the project development process, upon the completion of the previous phase within the project development process, by automatically sending a message to the at least one of the individuals with responsibility for the next phase in the project development process, the message informing the at least one individual that the next phase can begin.

Claim 1 recites, in part, "notifying at least one individual with responsibility for a next phase of the project development process, upon the completion of the previous phase within the project development process, by automatically sending a message to the at least one of the individuals with responsibility for the next phase in the project development process, the message informing the at least one individual that the next phase can begin."

The Office Action admits that Knudson does not teach the above-recited elements of claim 1, but it asserts that Swanke cures the deficiencies of Knudson in that regard. However, Applicants respectfully disagree with that assertion for the following reasons.

For example, the Office Action relied on disclosure in column 2, lines 1-38 of Swanke to read on the above-recited elements. Within the cited disclosure, Swanke discloses "[t]he invention automatically notifies the resources of additional tasks as prerequisite tasks are completed." See,

Swanke, col. 2, lines 17-19. Thus, Swanke merely teaches automatically notifying the resources that are performing the tasks of additional tasks they are to perform.

In responding to the Applicant's arguments, the Office Action continues to state that "there is nothing explicitly recited in the claim that indicates the individual with responsibility is a project leader." See, Office Action, pp. 2-3. Applicants do not claim that the individual with responsibility is a project leader. However, the fact that Swanke does not notify the project leader is an indication that Swanke does not disclose notifying an individual with responsibility for an entire phase of project development rather than just an individual with responsibility for an individual task. Swanke does not disclose that any individual with responsibility for a next phase of a project is notified as claimed.

Moreover, Swanke discloses notifying a resource of a task as prerequisite tasks are completed and not "notifying at least one individual with responsibility for a next phase of the project development process, upon completion of the previous phase within the project development process." A "task" is not equivalent to a "phase." A task is a single piece of work. However, a phase comprises numerous tasks. For example, the pending application states that "[t]he Define phase typically comprises four steps, Intent, Ideation, Feasibility, and Estimation." (See, Application, ¶ [0017]). Each step comprises one or more tasks. Thus, a phase comprises multiple tasks – not a single task. Further, claim 1 explicitly recites, "...phase comprises a segment of the project development process that includes multiple tasks that are grouped together as related functional processes." However, Swanke teaches a notifying step only in regard to completion of a task – not completion of a previous phase in a project development process.

While Turnbull was not relied upon by the Office Action with reference to the feature of "notifying at least one individual with responsibility for a next phase of the project development

process," the Office Action did rely on Turnbull to provide teaching that a project development process may have phases. Specifically, the Office Action relied on the disclosure of Turnbull in column 5, lines 52-56 corresponding to stages of a segmentation corresponding to a phase of a product development. However, even if Turnbull does disclose that a product development process may have phases, Turnbull does not provide any teaching or suggestion to automatically provide notification to a person with responsibility for a next phase of the project development process, as claimed.

The Office Action argues that "each individual element and its function are shown in the prior art, albeit shown in separate reference, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself – that is in the substitution of the project phases of the secondary reference for the individual tasks of the primary reference. Thus, the simple substitution of one known element for another producing a predictable result renders the claim obvious." See, Office Action, p. 3. However, contrary to the assertion of the Office Action, the combination of references is not simply substituting one known technology for another known technology (e.g., substituting notifying an individual with responsibility for a task with notifying an individual with responsibility for a phase). MPEP § 2143(B) states that to reject a claim based on this rationale, the following factual findings must be articulated:

> (1) a finding that the prior art contained a device (method, product, etc.) which differed from the claimed device by the substitution of some components (step, element, etc.) with other components;
>
> (2) a finding that the substituted components and their functions were known in the art;
>
> (3) a finding that one of ordinary skill in the art could have substituted one known element for another, and the results of the substitution would have been predictable; and

> (4) whatever additional findings based on the *Graham* factual inquiries may be necessary, in view of the facts of the case under consideration, to explain a conclusion of obviousness.

MPEP § 2143(B) further states that "[i]f any of these findings cannot be made, then this rationale cannot be used to support a conclusion that the claim would have been obvious to one of ordinary skill in the art." MPEP § 2143(B) provides several examples of situations that meet the test. Examples 1 and 2 are directed to method claims in which a step for performing a function in one manner in one prior art reference was replaced by a step to perform the same function in a different manner by a different prior art reference. Claim 1 is a method for project development including the element of "notifying at least one individual with responsibility for a next phase of the project development process, upon the completion of the previous phase within the project development process." Therefore, the element that may be substituted by another element is the notifying clause, not a particular word within the notifying clause. Thus, substitution of one word for another word does not satisfy the requirements of MPEP § 2143(B). Therefore, the combination of Swanke and Turnbull is not the mere substitution of one element for another element, but is a modification of the notification of Swanke to perform the claimed function by improperly using the pending application as a template to supply the rationale for the modification. Consequently, Turnbull does not cure the deficiencies of Knudson in view of Swanke.

For at least the reasons established above in sections I and II, Applicants respectfully submit that independent claim 1 is not taught or suggested by Knudson in view of Swanke, Schloss, and further in view of Turnbull and respectfully request allowance of this claim.

Rejection of Claim 3 Under 35 U.S.C. § 103(a)

Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson in view of Swanke, and Schloss, further in view of Turnbull and Bowman-Amuah.

Claim 3 includes limitations substantially similar to the limitations discussed in sections I and II above. For example, claim 3 recites "notifying at least one individual with responsibility for a next phase of the project development process, upon the completion of the previous phase within the project development process, by automatically sending a message to the at least one of the individuals with responsibility for the next phase in the project development process, the message informing the at least one individual that the next phase can begin." Claim 3 also recites "automatically determining a start date and an end date for the next phase in the project development process" and "automatically updating a schedule of the project development process with the start date and the end date for the next phase." Accordingly, the arguments of sections I and II are hereby repeated for claim 3.

For at least the reasons established above in sections I and II, Applicants respectfully submit that independent claim 3 is not taught or suggested by Knudson in view of Swanke, and Schloss, further in view of Turnbull and Bowman-Amuah.

Rejection of Claim 8 Under 35 U.S.C. § 103(a)

Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson in view of Swanke, and Schloss, further in view of Turnbull.

Claim 8 includes limitations substantially similar to the limitations discussed in sections I and II above. For example, claim 8 recites "automatically sending a message to at least one individual with responsibility for the next phase in the project development process informing the

at least one individual that the next phase can begin." Claim 8 also recites "automatically determining a start date and an end date for the next phase in the project development process" and "automatically updating a schedule of the project development process with the start date and the end date for the next phase." Accordingly, the arguments of sections I and II are hereby repeated for claim 8.

For at least the reasons established above in sections I and II, Applicants respectfully submit that independent claim 8 is not taught or suggested by Knudson in view of Swanke, and Schloss, further in view of Turnbull.

Rejection of Claim 13 Under 35 U.S.C. § 103(a)

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson in view of Swanke, and Schloss, further in view of Turnbull.

Claim 13 includes limitations substantially similar to the limitations discussed in sections I and II above. For example, claim 13, recites "an action in the management of the progress of the project automatically sends a message to at least one individual with responsibility for the next phase in the project development process informing the at least one individual that the next phase can begin." Claim 13 also recites "a second action in the management of the progress of the project automatically determines a start date and an end date for the next phase in the project development process, and a third action in the management of the progress of the project automatically updates a schedule of the project development process with the start date and the end date for the next phase." Accordingly, the arguments of sections I and II are hereby repeated for claim 13.

For at least the reasons established above in sections I and II, Applicants respectfully submit that independent claim 13 is not taught or suggested by Knudson in view of Swanke, and Schloss, further in view of Turnbull.

Rejection of Remaining Claims

Claims 4-7, 9-12, 14-17, and 38-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson in view of Swanke and Schloss, further in view of Turnbull.

The remaining claims 4-7, 9-12, 14-17, and 38-40 all depend on claims 1, 8, or 13 and Applicants submit that none of the other applied references cure the deficiencies of the cited art discussed above. Accordingly, Applicants assert that claims 4-7, 9-12, 14-17, and 38-40 are in condition for allowance for at least the reasons established above.

Claim 7:

III. Knudson does not teach or suggest **all** of the claimed steps in the claimed monitoring of the progress of the project.

Claim 7 recites:

> wherein further steps in the monitoring of the progress of the project are performed through interaction with a graphical user interface and **include all of:**
>
> approving the concept to move from one phase of the project development process to the next phase;
>
> providing an estimate of the cost of a change to the scope of a project;
>
> viewing the status of a project;
>
> viewing a timeline of the work done on a project;
>
> viewing a timeline of the work remaining on a project;
>
> viewing the human resources assigned to a project;
>
> viewing the large-scale initiatives to which the project is related;
>
> automatically updating a schedule when project-related events occur; and
>
> calculating a score reflecting the worthiness of a project-related concept.

In response to Applicants' previous arguments, the Office Action stated that the Applicants' arguments regarding the cited art not showing all of the claimed steps was moot in light of the new grounds of rejection. See, Office Action, p. 2. In the rejection of the above claim, the Office Action provided some citations for where Knudson disclosed some of the claimed steps. See, Office Action, p. 8. However, the Office Action still did not address how Knudson or the other cited art disclosed **all** of the claimed steps. For example, the Office Action did not address "approving the concept to move from one phase of the project development process to the next phase; providing an estimate of the cost of a change to the scope of a project" or "viewing the large-scale initiatives to which the project is related; automatically updating a schedule when project-related events occur; and calculating a score reflecting the worthiness of a project-related concept." The Office Action asserted that Knudson disclosed these steps, but provided no citation to any section of Knudson to support the assertion. See, Office Action, p. 8. Therefore, it appears that the Office Action concedes that the cited art does not disclose **all** of the claimed steps. Furthermore, Applicants respectfully submit that Knudson does not teach or suggest the steps of "approving the concept to move from one phase of the project development process to the next phase; providing an estimate of the cost of a change to the scope of a project" or "viewing the large-scale initiatives to which the project is related; automatically updating a schedule when project-related events occur; and calculating a score reflecting the worthiness of a project-related concept" as claimed. Applicants further submit that Swanke, Schloss, and Turnbull do not cure the deficiencies in Knudson.

Consequently, for at least the additional reasons established above in section III, Applicants respectfully submit that claim 7 is not taught or suggested by Knudson in view of Swanke, Schloss, and further in view of Turnbull and respectfully request allowance of this claim.

Conclusion

Applicants respectfully submit that the pending application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, the Examiner is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: September 24, 2010

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